

Serial No.: 09/484,865
Group Art Unit: 2127

REMARKS

Drawings

The drawings are objected to under 37 CFR 1.83(a). The Examiner stated that the drawings must show every feature of the invention specified in the claims. Therefore, the "legacy processing system", "non-legacy processing system", "on-line connection from the computer system to the processing system", "programmer/feeder system", "administrator mode", "providing the processing system shutdown parameters simultaneously with the processing system setup parameters", "operator mode", and "kit" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

With reference to the objection to the drawings under 37 CFR 1.83(a), it is respectfully submitted that the claims are directed to a method and MPEP 601.01(f) states in relevant part:

“...35 U.S.C. 113 (first sentence) in turn provides that an “an applicant shall furnish a drawing where necessary for the understanding of the subject matter sought to be patented.

...
It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence). ...” [deletions and underlining for clarity]

Based on the above, it is respectfully submitted that it is not required that the features be shown in the drawings for the claimed method.

Claim Objections

Claims 6 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 6 and 18 have been cancelled along with the respective intervening claims 5 and 17, and the allowable subject matter has been included in currently amended respective claims 1 and 13.

Serial No.: 09/484,865
Group Art Unit: 2127

Claim 1 is objected to because of the following informality: "therebetween" is not a valid word.

It is respectfully submitted that the word "therebetween" does not appear in claim 1 but in any event is a well-known word to those having ordinary skill in the patent arts as evidenced by the use of the word in at least 433,561 granted patent applications since 1976.

Claim Rejections - 35 USC §102

Claims 1 and 13 are rejected under 35 USC §102(e) as being unpatentable by Grimsrud (USPN 6,546,437, hereinafter "Grimsrud").

Referring to claim 1, the claim has been amended to include allowable subject matter from claims 5 and 6, and is now believed to be allowable.

Referring to claim 13, the claim has been amended to include allowable subject matter from claims 17 and 18, and is now believed to be allowable.

Claims 3-5, 9-11, 15-17, 21-23, and 25 are rejected under 35 USC §102(e) as being unpatentable over Grimsrud (USPN 6,546,437, hereinafter "Grimsrud") in view of Hosaka et al. (USPN 5,896,292, hereinafter "Hosaka").

Referring to claim 3-4 and 9-11, these dependent claims depend from independent claim 1 and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof. Claim 5 has been cancelled.

Referring to claims 15-16, 21-23, and 25, these dependent claims depend directly or indirectly from independent claim 13 and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof. Claim 17 has been cancelled.

Claims 7 and 19 are rejected under 35 USC §102(e) as being unpatentable over Grimsrud (USPN 6,546,437, hereinafter "Grimsrud") in view of Hosaka et al. (USPN

Serial No.: 09/484,865
Group Art Unit: 2127

5,896,292, hereinafter "Hosaka") and further in view of Csipkes et al. (USPN 6,167,401, hereinafter "Csipkes").

Referring to claims 7 and 19, these dependent claims have been amended to respectively depend directly or indirectly from independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof.

Claims 8 and 20 are rejected under 35 USC §102(e) as being unpatentable over Hosaka et al. (USPN 5,896,292, hereinafter "Hosaka") in view of Grundy et al. (USPN 5,224,055, hereinafter "Grundy").

Referring to claim 8 and 20, these dependent claims respectively depend directly or indirectly from independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof.

Claims 12 and 24 are rejected under 35 USC §102(e) as being unpatentable over Grimsrud (USPN 6,546,437, hereinafter "Grimsrud") in view of Hosaka et al. (USPN 5,896,292, hereinafter "Hosaka") and further in view of Csipkes et al. (USPN 6,167,401, hereinafter "Csipkes").

Referring to claims 12 and 24, these dependent claims respectively depend directly or indirectly from independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof.

Claim Rejections - 35 USC §103

Claims 2 and 14 are rejected under 35 USC §103(a) as being unpatentable over Grimsrud (USPN 6,546,437, hereinafter "Grimsrud") in view of Tavallaei (USPN 6,360,291, hereinafter "Tavallaei").

Serial No.: 09/484,865
Group Art Unit: 2127

Referring to claims 2 and 14, these dependent claims respectively depend from independent claims 1 and 13, and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof.

Other

The Cross-Reference to Related Application(s) section has been amended to include the application and patent numbers of some of the related applications. No new matter has been added.

Conclusion

In view of the above, it is submitted that the claims are in condition for allowance and reconsideration of the rejections is respectfully requested. Allowance of claims 1-4, 7-16, and 19-25 at an early date is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including any extension of time fees, to Deposit Account No. 50-0374 and please credit any excess fees to such deposit account.

Respectfully submitted,



Mikio Ishimaru
Registration No. 27,449

The Law Offices of Mikio Ishimaru
1110 Sunnyvale-Saratoga Rd., Suite A1
Sunnyvale, CA 94087
Telephone: (408) 738-0592
Fax: (408) 738-0881
Date: November 20, 2003